

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

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**PATRICIA KANE**

84 Edge Park Avenue  
Buffalo, New York 14216

*Plaintiff,*

v.

**SUMMONS**

Index No. \_\_\_\_\_

**SAINT LEO THE GREAT R.C. CHURCH**

885 Sweet Home Road  
Amherst, New York 14226

**ST. LEO'S ROMAN CATHOLIC CHURCH  
SOCIETY OF EGGERTSVILLE, NEW YORK**

885 Sweet Home Road  
Amherst, New York 14226

**THE DIOCESE OF BUFFALO, N.Y.**

795 Main Street  
Buffalo, New York 14203

*Defendants.*

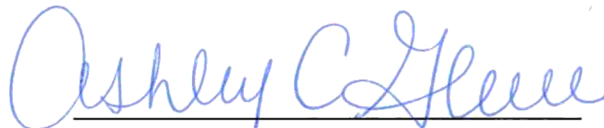
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**TO THE ABOVE NAMED DEFENDANTS:**

**YOU ARE HEREBY SUMMONED** to answer the Complaint in the above entitled action and to serve a copy of your Answer on the Plaintiff's attorney within twenty (20) days after the service of this Summons, exclusive of the day of service, or within thirty (30) days after completion of service where service is made in any other manner than by personal delivery within the State.

Erie County is designated as the place of trial. The basis of venue is the Plaintiff's residence.

Dated: November 8, 2021  
Williamsville, New York



**ASHLEY C. GLOSSER, ESQ.**  
**FREID AND KLAWON**  
*Attorneys for Plaintiff*  
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Williamsville, NY 14221  
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STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

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PATRICIA KANE,

*Plaintiff,*

v.

**COMPLAINT**

Index No. \_\_\_\_\_

SAINT LEO THE GREAT R.C. CHURCH,  
ST. LEO'S ROMAN CATHOLIC CHURCH  
SOCIETY OF EGGERTSVILLE, NEW YORK, and  
THE DIOCESE OF BUFFALO, N.Y.,

*Defendants.*

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Plaintiff, PATRICIA KANE, by her attorneys, FREID AND KLAWON, for her  
Complaint against the Defendants herein allege as follows:

1. Plaintiff, PATRICIA KANE, is and was at all times referenced herein an individual with a place of residence in the County of Erie and State of New York.
2. Upon information and belief, Defendant, SAINT LEO THE GREAT ROMAN CATHOLIC CHURCH, is and was at all times referenced herein a Church within the Roman Catholic Diocese of Buffalo under the laws of the State of New York with offices located at 885 Sweet Home Road, Amherst, New York 14226.
3. Upon information and belief, Defendant, ST. LEO'S ROMAN CATHOLIC CHURCH SOCIETY OF EGGERTSVILLE, NEW YORK, is and was at all times referenced herein a Church within the Roman Catholic Diocese of Buffalo under the laws of the State of New York with offices located at 885 Sweet Home Road, Amherst, New York 14226.
4. Upon information and belief, Defendant, THE DIOCESE OF BUFFALO, N.Y., is and was at all times referenced herein a domestic not-for-profit corporation and religious organization under the laws of the State of New York with its principal place of business located

at 795 Main Street, Buffalo, New York 14203.

**AND AS FOR A FIRST CAUSE OF ACTION PLAINTIFF ALLEGES**

5. On March 11, 2019, and for sometime prior thereto, Defendant, SAINT LEO THE GREAT ROMAN CATHOLIC CHURCH, owned, maintained, and controlled the premises and adjacent parking lot located at 885 Sweet Home Road, Amherst, New York 14226 and operated a church thereat.

6. On March 11, 2019, Plaintiff, PATRICIA KANE, sustained bodily injuries when she slipped and fell while walking to the Defendant's church from the parking lot on a walkway adjacent to the church located at 885 Sweet Home Road, Amherst, New York 14226.

7. Plaintiff's fall and resulting injuries were caused solely by the recklessness, carelessness, and negligence of Defendant, SAINT LEO THE GREAT ROMAN CATHOLIC CHURCH, in and among other things, in failing to safely and properly remove ice and snow from the walkway on the premises; in failing to properly salt said walkway on the premises; in failing to properly treat, control, and maintain the snowy and icy conditions at the above referenced premises; in allowing a dangerous condition to exist; in creating a dangerous condition; in failing to warn of a slippery and icy condition; and in otherwise failing to properly and safely maintain the walkways located on the premises.

8. Upon information and belief, Defendant, SAINT LEO THE GREAT ROMAN CATHOLIC CHURCH, had both actual and constructive notice of the aforesaid dangerous and hazardous condition of the premises prior to Plaintiff's fall.

9. As a result of the accident of March 11, 2019, Plaintiff, PATRICIA KANE, sustained general and special damages for which Defendant, SAINT LEO THE GREAT ROMAN CATHOLIC CHURCH, is liable.

**AND AS FOR A SECOND CAUSE OF ACTION PLAINTIFF ALLEGES**

10. Plaintiff restates and re-alleges by reference those allegations set forth in paragraphs numbered 1 through 9 of this Complaint.

11. On March 11, 2019, and for sometime prior thereto, Defendant, ST. LEO'S ROMAN CATHOLIC CHURCH SOCIETY OF EGGERTSVILLE, NEW YORK maintained and controlled the premises and adjacent parking lot located at 885 Sweet Home Road, Amherst, New York 14226 and operated a church thereat.

12. On March 11, 2019, Plaintiff, PATRICIA KANE, sustained bodily injuries when she slipped and fell while walking to the Defendant's church from the parking lot on a walkway adjacent to the church located at 885 Sweet Home Road, Amherst, New York 14226.

13. Plaintiff's fall and resulting injuries were caused solely by the recklessness, carelessness, and negligence of Defendant, ST. LEO'S ROMAN CATHOLIC CHURCH SOCIETY OF EGGERTSVILLE, NEW YORK, in and among other things, in failing to safely and properly remove ice and snow from the walkway on the premises; in failing to properly salt said walkway on the premises; in failing to properly treat, control, and maintain the snowy and icy conditions at the above referenced premises; in allowing a dangerous condition to exist; in creating a dangerous condition; in failing to warn of a slippery and icy condition; and in otherwise failing to properly and safely maintain the walkways located on the premises.

14. Upon information and belief, Defendant, ST. LEO'S ROMAN CATHOLIC CHURCH SOCIETY OF EGGERTSVILLE, NEW YORK, had both actual and constructive notice of the aforesaid dangerous and hazardous condition of the premises prior to Plaintiff's fall.

15. As a result of the accident of March 11, 2019, Plaintiff, PATRICIA KANE, sustained general and special damages for which Defendant, ST. LEO'S ROMAN CATHOLIC

CHURCH SOCIETY OF EGGERTSVILLE, NEW YORK, is liable.

**AND AS FOR A THIRD CAUSE OF ACTION PLAINTIFF ALLEGES**

16. Plaintiff restates and re-alleges by reference those allegations set forth in paragraphs numbered 1 through 15 of this Complaint.

17. On March 11, 2019, and for sometime prior thereto, Defendant, SAINT LEO THE GREAT ROMAN CATHOLIC CHURCH located at 885 Sweet Home Road, Amherst, New York 14226 was under the purview and supervision of Defendant, THE DIOCESE OF BUFFALO, N.Y.

18. On March 11, 2019, Plaintiff, PATRICIA KANE, sustained bodily injuries when she slipped and fell while walking to the Church from the parking lot on a walkway adjacent to the church.

19. Plaintiff's fall and resulting injuries were caused solely by the recklessness, carelessness, and negligence of Defendant THE DIOCESE OF BUFFALO, N.Y., in and among other things, in failing to safely and properly remove ice and snow from the walkway on the premises; in failing to properly salt said walkway on the premises; in failing to properly treat, control, and maintain the snowy and icy conditions at the above referenced premises; in allowing a dangerous condition to exist; in creating a dangerous condition; in failing to warn of a slippery and icy condition; and in otherwise failing to properly and safely maintain the walkways located on the premises.

20. Upon information and belief, Defendant, THE DIOCESE OF BUFFALO, N.Y., had both actual and constructive notice of the aforesaid dangerous and hazardous condition of the premises prior to Plaintiff's fall.

21. As a result of the accident of March 11, 2019, Plaintiff, PATRICIA KANE,

sustained general and special damages for which Defendant, THE DIOCESE OF BUFFALO, N.Y., is liable.

WHEREFORE, Plaintiff, PATRICIA KANE, demands judgment against Defendants, SAINT LEO THE GREAT ROMAN CATHOLIC CHURCH, ST. LEO'S ROMAN CATHOLIC CHURCH SOCIETY OF EGGERTSVILLE, NEW YORK, and THE DIOCESE OF BUFFALO, N.Y., in such amount which exceeds the jurisdictional limits of all other Courts which would otherwise have jurisdiction over this matter, together with the costs and disbursements of bringing this action, and such other and further relief as the Court deems just and proper.

Dated: November 8, 2021  
Williamsville, New York



ASHLEY C. GLOSSER, ESQ.  
FREID AND KLAWON  
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Williamsville, NY 14221  
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